

REMARKS

Applicant submits this Response in response to the Office Action mailed July 5, 2007. Applicant has amended claims 71 and 78, and added new claims 83-93. Claims 7, 9, 10, 12, 50, 53-55, 71-82 and 83-93 are currently pending. No new matter has been added.

In paragraph 1 of the Office Action, the Examiner rejected claims 7, 9-10, 12, 50 and 53-55 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,918,013 to Mighdoll et al. ("Mighdoll"). In paragraph 2 of the Office Action, the Examiner rejected claims 71-82 under 35 U.S.C. § 103(a) as being unpatentable over Mighdoll in view of U.S. Patent No. 6,006,257 to Slezak ("Slezak"). Applicant respectfully traverses these rejections based on the following.¹

Independent claim 7 recites a method that includes:

retrieving first network information having interactive elements;
creating second network information based on the first network information, the
second network information comprising display information and
definitions based on characteristics of the interactive elements,
transmitting the second network information;
receiving the second network information;
recomposing the second network information to form third network information,
the third network information including the interactive elements.

Mighdoll does not teach or suggest every element recited by claim 7. For example, Mighdoll does not describe "creating second network information based on the first network information, the second network information comprising display information and definitions based on characteristics of the interactive elements," as recited in claim 7. As noted by the Examiner, Mighdoll describes a "transcoding" process "which is used to rewrite certain portions of the code in an HTML document for various purposes." (Mighdoll, col. 7, ll. 8-9.) The five transcoding examples provided by Mighdoll are:

¹ As Applicant's remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicant's silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., assertions regarding dependent claims, whether a reference constitutes prior art, whether references are legally combinable for obviousness purposes) is not a concession by Applicant that such assertions are accurate or such requirements have been met, and Applicant reserves the right to analyze and dispute such in the future.

1. transcoding to remove “bugs and quirks” from HTML documents (such as zero-width columns and mismatched quotation marks) that cause rendering problems (Id., col. 7, line 50 to col. 9, line 35);
2. transcoding to reduce document display latency by pre-determining embedded image sizes and rendering the document while the image is downloaded (Id., col. 9, line 37 to col. 10, line 34);
3. transcoding to resize images for display on a television display (Id., col. 10, ll. 37-53);
4. transcoding to reduce high-frequency components and image resolutions to conform to NTSC video format (Id., col. 10, line 55 to col. 11, line 7); and
5. transcoding to convert document compression/coding formats and split large documents into multiple smaller pages (Id. col. 11, ll. 9-40).

Nowhere in its discussion of transcoding, however, does Mighdoll describe the creation of second information based on first network information and comprising both “display information” and “definitions based on characteristics of the interactive elements.” Mighdoll’s described transcoding activities make no mention of transcoding to create definitions based on interactive elements in requested web pages, but rather are primarily directed toward HTML error checking for such pages and the reformatting of images/audio to accommodate a television system.

As Mighdoll does not teach every element of claim 7, claim 7 is patentable over Mighdoll, and Applicant respectfully requests that the Examiner withdraw the rejection of claim 7. Claims 9-10 and 12 are dependent from claim 7, and therefore are patentable over Mighdoll for at least the same reasons as claim 7. Applicant respectfully requests that the Examiner withdraw the rejections of claims 9-10 and 12 as well.

Independent claim 50 recites a system that includes:

- a receiver device for receiving a request for first network information;
- a retrieval device for retrieving first network information having interactive elements;
- a second network information creation device for creating second network information based on the first network information, the second network

information comprising display information and definitions based on characteristics of the interactive elements;
a transmitting device for transmitting the second network information;
a receiving device for receiving the second network information; and
a recomposing device for recomposing the second network information to form third network information, the third network information including the interactive elements.

Mighdoll does not teach or suggest all of the elements of claim 50. For example, Mighdoll does not describe “a second network information creation device for creating second network information based on the first network information, the second network information comprising display information and definitions based on characteristics of the interactive elements,” such as recited in claim 50. As noted above with respect to claim 7, Mighdoll does not describe a transcoder that creates second network information based on first network information and comprising both “display information” and “definitions based on characteristics of the interactive elements.”

As Mighdoll does not teach every element of claim 50, claim 50 is patentable over Mighdoll, and Applicant respectfully requests that the Examiner withdraw the rejection of claim 50. Claims 53-55 are dependent from claim 50, and therefore are patentable over Mighdoll for at least the same reasons as claim 50. Applicant respectfully requests that the Examiner withdraw the rejections of claims 53-55 as well.

Independent claim 71 recites a system that includes:

a hybrid fiber-coax (HFC) network;
a headend connected to the HFC network and configured to transmit digital video signals over the HFC network
a video server connected to the HFC network and configured to store video and transmit video on demand;
an Internet access system connected to the headend and configured to receive first requested information, create second requested information based on the first requested information, and transmit the second requested information over the HFC network;
a user interface device connected to the HFC network and a display device, the user interface device configured to receive digital video signals over the HFC network, receive the second requested information from the Internet access system over the HFC network, perform recomposition on the

second requested information to create third requested information, store the third requested information in a buffer, and transmit the third requested information from the buffer to a display device in a display device signal format;
wherein the second requested information is created based on a display capability of the display device.

Mighdoll and Slezak, either individually or taken in combination, do not teach or suggest all of the elements of claim 71. For example, neither Mighdoll nor Slezak describe “a user interface device connected to the HFC network and a display device, the user interface device configured to receive digital video signals over the HFC network, receive the second requested information from the Internet access system over the HFC network, perform recombination on the second requested information to create third requested information, store the third requested information in a buffer, and transmit the third requested information from the buffer to a display device in a display device signal format,” as recited by claim 71. In rejecting claim 71, the Examiner asserts that Mighdoll describes “converting the transcoded content to a TV signal for output from the WebTV client to the user’s TV set, [Mighdoll] col. 4, lines 10-24.” (Office Action, p. 5.) Applicant has amended claim 71 to indicate that recombination as it used in claim 71 occurs prior to the creation of the signal provided to the display device. Note that the specification describes these elements, for example, at col. 5, lines 17-20. Mighdoll does not describe a system that includes a user interface device that performs recombination – in fact, as described in Mighdoll, the WebTV client merely displays the document provided to it from the WebTV server.

As Mighdoll and Slezak, either alone or in combination, do not teach every element of claim 71, claim 71 is patentable over Mighdoll and/or Slezak, and Applicant respectfully requests that the Examiner withdraw the rejection of claim 71. Claims 72-82 are dependent from claim 71, and therefore are patentable over Mighdoll and/or Slezak for at least the same reasons as claim 71. Applicant respectfully requests that the Examiner withdraw the rejections of claims 72-82 as well.

Applicant has added new claims 83-93. Independent claim 83 recites a system that includes:

a hybrid fiber-coax (HFC) network;
a headend connected to the HFC network and configured to transmit digital video signals over the HFC network;
a video server connected to the HFC network and configured to store video and transmit video on demand;
an Internet access system connected to the headend and configured to receive first requested information, create second requested information based on the first requested information, and transmit the second requested information over the HFC network;
a user interface device connected to the HFC network and a display device, the user interface device configured to receive digital video signals over the HFC network, receive the second requested information from the Internet access system over the HFC network, perform recombination on the second requested information to create third requested information, and transmit the third requested information to a display device;
wherein the second requested information is created based on a display capability of the display device, and
wherein the Internet access system is further configured to store session information, the session information including a current state of a current session with the user interface device, receive bookmark requests from the user interface device and set a bookmark that permits a user to access the current session at the current state on an alternate display device different than the display device.

Mighdoll and Slezak, either individually or taken in combination, do not teach or suggest all of the elements of claim 83. For example, neither Mighdoll nor Slezak describe an Internet access system that is configured to "store session information, the session information including a current state of a current session with the user interface device, receive bookmark requests from the user interface device and set a bookmark that permits a user to access the current session at the current state on an alternate display device different than the display device," as recited in claim 83. Mighdoll has no description of the storage of "session information" that includes "a current state of a current session," nor does Mighdoll describe any capability to receive requests for or to set bookmarks that allow a user to access the current session on a different display device. Slezak similarly lacks such a description.

Applicant notes that in rejecting claim 78 in the Office Action (which included similar elements as now recited in claim 83), the Examiner asserted that Mighdoll "discloses allowing the user to log in from any client device on the system." (Office Action, p. 8.) However, what Mighdoll

actually describes is allowing multiple users to log in to the WebTV system from the same client. (Mighdoll, col. 14, lines 31-33.) Mighdoll in fact does not describe a capability to log in from any client device.

Applicant further notes that the Examiner admits that Mighdoll "failed to specifically recite tracking session information for allowing a user to make an explicit bookmark request allowing the user to later return to that website." (Office Action, p. 8.) However, the Examiner further states that he "takes official notice that it was widely known in the art at the time of the Applicant's invention to track session information (i.e. the current page a user is viewing) so that the user can user can request to bookmark that page and then easily return to a particular site later. Thus it would have been obvious to one [of] ordinary skill in the art at the time of Applicant's invention to modify Mighdoll's system to track session information and allow the user to request to bookmark a page he or she is currently viewing, so that the user can easily return to that particular site later with the hassle of remembering or typing the web page URL." (Office Action p. 8.) Applicant respectfully disagrees with the Examiner's taking of official notice, and requests that the Examiner produce actual evidence in support of such a statement. Furthermore, even assuming that the Examiner's assertion as to the state of the art at the time of the invention is correct, neither Mighdoll, Slezak, nor the Examiner's official notice describe a system in which an Internet access device as claimed stores session information including a current state of a current session with a remotely located user interface device that permits a user to access the current session on a display device other than the current display device.

As Mighdoll and Slezak, either alone or in combination, do not teach every element of claim 83, claim 83 is patentable over Mighdoll and/or Slezak, and Applicant respectfully requests that the Examiner indicate the allowability of claim 83. As claims 84-93 are dependent from claim 83, and therefore are patentable over Mighdoll and/or Slezak for at least the same reasons as claim 83, Applicant respectfully requests that the Examiner indicate the allowability of claims 84-93 as well.

CONCLUSION

In view of the foregoing, Applicant respectfully submits that the pending claims are in condition for allowance. Reconsideration and allowance are respectfully requested. If there are any outstanding issues which need to be resolved to place the application in condition for allowance, the Examiner is invited to contact Applicant's undersigned representative by phone at the number indicated below to discuss such issues. To the extent necessary, a petition for extension of time under 37 C.F.R. § 1.136 is hereby made, the fee for which should be charged to deposit account number 07-2347. With respect to this application, please charge any other necessary fees and credit any overpayment to that account.

Respectfully submitted,

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